

REMARKS

The Examiner's Action mailed December 17, 2004 has been received and its contents carefully considered.

Claims 1-21 are currently pending. Claim 12 is canceled without prejudice to or waiver of the subject matter recited therein. Claims 1-11 and 13-21 are amended herein. Claims 1, 16 and 19-21 remain the independent claims in this application.

In the Action, the title of the invention is objected to as not being descriptive. Accordingly, the title is amended herein to make it more clearly indicative of the invention to which the claims are directed. The Examiner is respectfully requested to consider and approve the amended title.

The drawings are also objected to on the grounds that in Figures 20, 24 and 27, item 21 includes the text "reseiving unit," which should be changed to -- receiving unit --. This minor spelling error in Figures 20, 24 and 27 has been corrected in the replacement drawing sheets that are attached to this Amendment. Approval and entry of the replacement drawings is respectfully requested.

In the Action, claims 11-50 and 61-65 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. Regarding claim 11, the Examiner indicates that the antecedent bases for the terms "the message" in-line 7 of the claim, and the term "said message" in line 10 of the claim, are unclear, because in independent claim 1 there are three different occurrences of "a message", which causes the asserted indefiniteness in claim 11. The examiner also asserts the limitation "save the translating apparatus has a judging unit which judges whether said message has been transmitted from one terminal apparatus or not on the basis of said identification information which is received from said one terminal apparatus and was added to the message based on the characters of said one language" is unclear, as the Examiner is not sure what exact meaning the Applicants intend to convey.

The Examiner's §112 rejection is not fully understood because it refers to claims 11-50 and 61-65, while only claims 1-21 are pending in the present application.

Nevertheless, the claims, and in particular claims 1 and 11, are amended herein to overcome the §112 rejection, and in general, to more clearly recite the claimed invention. The Examiner is respectfully requested to consider the amended claims and withdraw the rejection.

The Applicants acknowledge with appreciation the Examiner's early indication in the Action that claim 12 would be allowable if rewritten in independent form including all limitations of the base claim and any intervening claims. The Examiner identifies as uniquely distinctive the features, recited in claim 12, of having a translating apparatus comprising: a recording unit which records a history of the translation from the message based on the characters of said one language into the message based on the characters of said another language and a history of the translation from the message based on the characters of said another language into the message based on the characters of said one language; and a charging unit which charges said one terminal apparatus in accordance with said histories recorded in said recording unit.

Independent claims 1, 16 and 19-21 are amended herein to incorporate the features of claim 12, and thereby put them in condition for allowance. It is respectfully submitted that claims 2-11, 13-15 and 17-18 are allowable for at least the reason that they dependent from amended claims 1 and 16.

In the Action, claims 1-2, 4-6, 10-11, 16-17 and 19-21 are rejected under 35 U.S.C. §102(b) as being anticipated by Trudeau (U.S. Patent No. 5,987,401). Claims 3 and 18 are rejected under 35 U.S.C 103(a) as being obvious over Trudeau, claims 7-9 as being obvious over Trudeau as applied to claim 1, and further in view of admitted prior art (specification pages 1-2), and claims 13-15 as being obvious over Trudeau as applied to claim 1, and further in view of Cherny (U.S. Patent No. 6,085,162). It is respectfully submitted that to these rejections are moot in view of the above-described amendments to the claims 1, 16 and 19-21.

All of Examiner's objections and rejections having been addressed by this Amendment, it is respectfully submitted that this application is now in condition for allowance. Notice of allowance and the passing of this case to issue, with claims 1-11 and 13-21, are earnestly solicited.

Should the Examiner feel that a conference would help to expedite the prosecution of this application, the Examiner is hereby invited to contact the undersigned counsel to arrange for such an interview.

Respectfully submitted,



April 18, 2005

Date

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Attachments:

Replacement Drawing Sheets (Figs. 20, 24 & 27)

AMENDMENTS TO THE DRAWINGS

Please replace Figures 20, 24 and 27 with the Replacement Drawing Sheets attached to this Amendment.